

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN EZELL,

Defendant.

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8:13CR374

ORDER

This matter is before the court on the motion to continue the pretrial motion deadline by defendant John Ezell (Ezell) (Filing No. 27). Ezell requests additional time in which to file pretrial motions in accordance with the progression order. Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Ezell's motion for an extension of time (Filing No. 27) is granted. Ezell is given until **on or before December 16, 2013**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., **the time between December 2, 2013, and December 16, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 2nd day of December, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge